

United States Patent and Trademark Office

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER OF PATENTS AND TRADEMARKS PO. Box 1450 Alexandria, Viginia 22313-1450

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/603,794	06/25/2003	1762	2454	50623.221	13	82	10

CONFIRMATION NO. 3469

Squire, Sanders & Dempsey L.L.P. Suite 300 1 Maritime Plaza San Francisco, CA 94111

FILING RECEIPT
OC00000010864980

Date Mailed: 09/11/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Syed F.A. Hossainy, Fremont, CA; Fuh-Wei Tang, Temecula, CA; Stephen D. Pacetti, San Jose, CA; Jeff Royal, San Francisco, CA; Dorie M. Happ, San Jose, CA; Kurt Scheinpflug, Sunnyvale, CA; Ty Hu, Mountain View, CA;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/108,004 03/27/2002; and is a CIP of 10/304,360 11/25/2002 which is a DIV of $\frac{09/750,595}{2} \frac{12/28/2000}{2}$ 6,503,556 $\frac{12}{2}\frac{12}{2}\frac{12}{2}$ and a CIP of $\frac{09}{7}\frac{12}{5}$ 0,595 $\frac{12}{2}$ 0.

Foreign Applications

If Required, Foreign Filing License Granted: 09/11/2003

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

DATES ENTERED RESPONSE

ALLE 11/11/03

SEP 1'5 2003

SQUIRE, SANDERS & DELLUCEY

Title

Thermal treatment of drug eluting implantable medical device

Preliminary Class

427

LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

 The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form: Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

SEP 2 6 2003 Plusse type a plus sign (+) inside this box -> +

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

		Application Number	10/603,794	
TRANSMITTAL		Filing Date	June 25, 2003	
FORM		First Named Inventor	Syed F.A. Hossainy	
(to be used for all correspondence after initi	ial filing)	Group Art Unit	1762	
		Examiner Name	Unassigned	
Total Number of Pages in This Submission	5.	Attorney Docket Number	50623.221	

ENCLOSURES (check all that apply)					
Deposit Account 07-1850 Authorization	Request for Corrected Filing Receipt (in duplicate)	After Allowance Communication to Group			
Postage Paid Return Postcard	Drawing(s) In/Formal Sheets with Submission of Drawings Transmittal	Appeal Communication to Board of Appeals and Interferences			
Amendment / Response	Issue Fee Transmittal with PTO-85b (in duplicate)	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)			
Amendment Transmittal Letter (in duplicate)	Request for Continued Examination Transmittal (RCE)	Proprietary Information			
Affidavits/declaration(s)	Fee Transmittal Form (in duplicate)	Status Letter			
Petition for Extension of Time (months) (in duplicate)	Power of Attorney, Revocation Change of Correspondence Address	Other Enclosure(s) (please identify below):			
Information Disclosure Statement (in duplicate) with Form PTO-1449 and References	☐ Terminal Disclaimer☐ Request for Refund	Copy of Filing Receipt with change marked in red ink			
Express Mail Label No.	CD, Number of CD(s)				
Certified Copy of Priority Document(s)	Remarks				
Response to Missing Parts/ Incomplete Application					
Response to Missing Parts under 37 CFR 1.52 or 1.53	·				
SIGNA	TURE OF APPLICANT, ATTORNEY, O	RAGENT			
Firm Squire, Sanders & Paul J Meyer, Jr.,					
Signature					
Date September 16, 20	Date September 16, 2003				
CERTIFICATE OF MAILING					

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: September 4, 2003

Typed or printed name

Judi Stillwell

Signature

Date

September 4, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Attorney Docket No: 50623.221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Examiner:

Unassigned

Syed F.A. Hossainy et al.

Serial No.: 10/603,794

Art Unit:

1762

Filed:

June 25, 2003

Title:

THERMAL TREATMENT OF A DRUG ELUTING IMPLANTABLE

MEDICAL DEVICE

Commissioner for Patents Office of Initial Patent Examinations **Customer Service Center** P.O. Box 1450 Alexandria, VA 22313-1450

REQUEST FOR CORRECTED FILING RECEIPT

Dear Sir:

Applicants respectfully request correction of the Official Filing Receipt for the above-identified patent application. The errors are shown in red on the Filing Receipt as well as described below.

The error occurred in the following data:

	omitted Applicant
	Applicant's name
	Applicant's address
	Attorney Docket No.
	Title
	Filing Date
	Application Number
	Continuing Data Claimed by Applicant
	Foreign Applications
\boxtimes	Domestic Priority data as claimed by applicant

in that the Filing Receipt should read as follows:

Domestic Priority data as claimed by applicant:

Attorney Docket No: 50623.221

This application is a CIP of 10/108,004 03/27/2002; a CIP of 10/304,360 11/25/2002 which is a DIV of 6,503,556 12/28/2000; and a CIP of 09/750,595 12/28/2000.

A copy of the Filing Receipt with the change marked in red ink is enclosed.

The correction is not due to any error by Applicant, and therefore no fee is due. If for any reason an insufficient fee has been paid, please charge the insufficiency to Deposit Account No. <u>07-1850</u>.

Date: September 4, 2003

Squire, Sanders & Dempsey L.L.P. One Maritime Plaza, Suite 300 San Francisco, CA 94111 Telephone (415) 954-0200 Facsimile (415) 393-9887 Respectfully submitted,

Paul J. Meyer, Jr. Attorney for Applicant Reg. No. 47,791